

STANDARDS COMMITTEE

Date: Monday 13th May, 2024
Time: 10.00 am
Venue: Mandela Room

AGENDA

1. Welcome and Evacuation Procedure
2. Declarations of Interest
3. Minutes- Standards Committee - 22 January 2024 3 - 4
4. Quarterly Update Report to Committee 5 - 10
5. Any other urgent items which in the opinion of the Chair, may be considered

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Friday 3 May 2024

MEMBERSHIP

Councillors J Kabuye (Chair), J Ewan (Vice-Chair), D Davison, S Dean, D McCabe, M Smiles, M Storey, J Thompson and G Wilson

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Susan Lightwing, 01642 729712, susan_lightwing@middlesbrough.gov.uk

This page is intentionally left blank

STANDARDS COMMITTEE

A meeting of the Standards Committee was held on Monday 22 January 2024.

PRESENT: Councillors J Kabuye, (Chair), J Ewan (Vice-Chair), D McCabe, M Storey, J Thompson and G Wilson

OFFICERS: C Benjamin, S Lightwing

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillors D Davison, S Dean and M Smiles

23/20 **WELCOME AND EVACUATION PROCEDURE**

The Chair welcomed all present to the meeting and read out the Building Evacuation procedure.

23/21 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest at this point in the meeting.

23/22 **MINUTES - STANDARDS COMMITTEE - 16 OCTOBER 2023**

The minutes of the Standards Committee meeting held on 16 October 2023 were submitted and approved as a correct record.

23/23 **QUARTERLY UPDATE REPORT TO COMMITTEE**

The Director of Legal and Governance Services presented the quarterly update report regarding the recent and current position concerning Code of Conduct Complaints to provide the Standards Committee with assurance about the practice and process.

There were no outstanding complaints from 2020, 2021 and 2022.

Fifty-nine complaints had been submitted to date in 2023. Of the 59 complaints, 28 had been rejected on the basis of the assessment criteria, 1 had been withdrawn, 8 discontinued, 6 resolved by way of advice and guidance and 6 were being investigated. There were 10 outstanding complaints for 2023.

Two new Independent Persons had been appointed by Council and they had completed their training and were now active.

The Council's new Constitution came into effect on 18 September 2023. As a result of which the Committee's attention was drawn to the Members Code of Conduct contained therein, which set out the expected standards of behaviour of members. The Code of Conduct Complaint form had been amended to reflect the Code of Conduct contained within the Constitution.

The Monitoring Officer proposed to analyse the available data on complaints in relation to the types of complaints submitted and any themes or trends that had emerged. It was acknowledged that whilst there had not been a huge amount of complaints submitted, it would still be worthwhile reviewing the data to see if there were any recurring issues.

AGREED that the information provided was received and noted.

23/24 **REVIEW OF GIFTS AND HOSPITALITY**

The Monitoring Officer was required to review the Register of Gifts and Hospitality for Officers and Members on an annual basis and report details of the entries to the Standards Committee, to ensure that Members and Officers complied with the Members' Code of Conduct and the Officers' Code of Conduct, respectively.

Monday 22nd January, 2024

The Council's Code of Conduct required Councillors and Co-opted Members to declare and register the receipt of either gifts or hospitality with a value of £25 or more.

Declarations were entered in the Register of Gifts and Hospitality. Details of entries received from Members for the period January 2022 – December 2022 were attached at Appendix A and for the period January 2023 – December 2023 Appendix B to the submitted report. Details of entries received from Officers for the period January 2022 – December 2022 are attached at Appendix C and for the period January 2023 – December 2023 Appendix D to the submitted.

It was explained that the Council was a key player in the town and hospitality events were an opportunity for Officers to network with other organisations. The Monitoring Officer had to approve all requests for accepting gifts and hospitality, with the Deputy Monitoring Officer approving any such request made by the Monitoring Officer.

AGREED that the information provided was received and noted.

23/25

ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED

None.

MIDDLESBROUGH COUNCIL	
------------------------------	--

Report of:	Director of Legal and Governance Services
-------------------	---

Relevant Executive Member:	Executive Member for Finance and Governance
-----------------------------------	---

Submitted to:	Standards Committee
----------------------	---------------------

Date:	13 May 2024
--------------	-------------

Title:	Quarterly update report to Standards Committee
---------------	--

Report for:	Discussion
--------------------	------------

Status:	Public
----------------	--------

Council Plan priority:	Delivering Best Value
-------------------------------	-----------------------

Key decision:	Not applicable
----------------------	----------------

Why:	Not applicable
-------------	----------------

Subject to call in?:	Not applicable
-----------------------------	----------------

Why:	The Report is for information to the Standards Committee
-------------	--

Proposed decision(s)

To provide information by way of a quarterly update to the Standards Committee
--

Executive summary

<p>This report provides a quarterly update to the Standards Committee regarding previous years and the current years position concerning Code of Conduct Complaints, so that the Committee has assurance about practice and process and for the Committee to discuss areas of member development or improvements.</p>

1. Purpose

To provide information only by way of a quarterly update to the Standards Committee regarding the previous years and the current position concerning Code of Conduct Complaints so that the committee has assurance about the practice and process. In addition that the Committee considers the information to discuss possible areas of member development and improvements.

2. Recommendations

That the Standards Committee notes the contents of this report, which will act as a basis for further discussion in the committee meeting.

3. Rationale for the recommended decision(s)

Not Applicable as no decision is being made

4. Background and relevant information

4.1 This report is provided to committee members to give an overview of the current, and recent position with regards to the Code of Conduct complaints received

Year (Jan-Dec)	Total complaints	Member on Member	Other on Member (ie member of public, officer)	No. withdrawn/ not progressed by complainant/discontinued due to not re-elected	No. rejected	No. resolved informally	No. to investigation	No. to standards Committee after investigation
2019	27	9	18	4	9	10	4	3
2020	31	4	27	17	13	1	2	1
2021	33	13	20	6	5	19	1	2
2022	12	3	9	4	4	2	0	2
2023	59	10	49	9	30	14	6	0
2024 (to date)	3	0	3	0	2	0	0	0

4.2 There are no outstanding complains from 2020, 2021 and 2022.

4.3 There have been 3 complaints so far in 2024, 2 have been advised to be rejected based on the assessment criteria and one complaint is at the first stage to be assessed by the independent person.

4.4 There have been 59 complaints in 2023. Of those complaints 9 were withdrawn or discontinued, 30 were advised to be rejected based on the assessment criteria, 14 were resolved informally by way of advice and guidance and 6 are being investigated.

4.5 The Statistics and information can show how separate complaints may relate to the same incident, subject matter, or member. The information in 2023 regarding complaints that were not rejected or withdrawn (20 in total) shows some of the complaints can be grouped together. Of the 6 complaints that are being investigated, 5 relate to the same subject matter involving social media. Of the 14 complaints that were resolved informally, 2 relate to one incident involving social media, 4 are unrelated complaints of misuse of social media and 8 relate to one set of circumstances. Taking these groups together, the information generally shows the main recurring theme of the complaints is the misuse of social media with the remaining complaints involving conduct at meetings. The information also tends to show the complaints that were accepted and either resolved informally or further investigated had a higher proportion of member-on-member complaints when compared with the overall complaints received.

4.6. The statistics in 2022 show there were four complaints that were not rejected or withdrawn, 2 of the complaints proceeded to standards committee and related to the same subject matter. The remaining two complaints informally resolved were unrelated. In 2022 there appeared to be no pattern or common theme to those complaints.

4.7 Statistics and information for complaints not rejected or withdrawn in 2021 generally show; 19 were resolved informally, 1 was investigated with no further action and 2 were referred to standards committee. Of the 19 complaints resolved informally, 10 related to one set of circumstances involving social media, 5 referred to separate issues of misuse of social media and emails. The remaining 4 complaints involved unrelated subject matters. The standards complaints involved disputed allegations and conduct at meetings. The information shows a mix of complaints, but misuse of social media and emails appears to continue to recur.

4.8 Overall there appears to be a general prevalence of complaints relating to conduct on social media. This can be addressed by arranging discussion led workshops with members on appropriate conduct on social media in line with the Council's social media policy and code of conduct.

5. Other potential alternative(s) and why these have not been recommended

Not Applicable as no decision is being made

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

There is no financial input

6.2 *Legal*

Not applicable as the report is for information.

6.3 Risk

The report contributes to the Council demonstrating its approach to maintaining standards of behaviour and ethical governance.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

There are no issues affecting human rights, the public sector equality duty or community cohesion.

6.5 Climate Change / Environmental

There is no impact on the Council’s climate change or environmental aspirations.

6.6 Children and Young People Cared for by the Authority and Care Leavers

There is no impact on children and young people cared for by the Authority and care leavers

6.7 Data Protection

There are no issues of data protection

Actions to be taken to implement the recommended decision(s)

The report is for information.

Action	Responsible Officer	Deadline

Appendices

Not Applicable

1	
2	
3	

Background papers

No background papers were used in the preparation of this report

Body	Report title	Date

Contact: Catherine Cunningham, Interim Head of Legal Services (Places)
Email: Catherine_cunningham@middlesbrough.gov.uk

This page is intentionally left blank